

### Remarks

The present invention relates to a pedestrian traffic control barrier including posts 120, 121 (Fig. 15) each carrying a single cassette. The cassette is located below the top of the post so that the entire tape 132 (not just its lower edge) is located below the top of the post. Thus, according to the present invention, the entire body of the tape 132 is spaced below the upper end of the post. Another way of saying this is that both the upper and lower edges of the tape are spaced at least several inches below the upper end of the post.

It can be said without reservation that none of the patents relied upon by the Examiner in rejecting the claims shows or suggests such a feature.

Claims 1-4 were rejected on the basis of Falcon. In Fig. 1, Falcon shows a banner 30 having a vertical dimension substantially equal to the height of post 12. In Fig. 2, the slot 20 in the post, through which banner 30 passes, is shown as being substantially equal to the height of the post. In fact, in column 1 of Falcon, lines 59 and 60, it is stated that "A vertical slit is formed in the body and extends along the entire height thereof (referring to the post). This same statement is made in column 4 of Falcon, lines 37-39.

Clearly, therefore, Falcon does not show or suggest a post having a tape wherein both the upper and lower edges of the tape are spaced at least several inches from the upper end of the post.

Claims 1-5 were rejected on the basis of Donnet. Donnet shows a post 1 from which an upper cable 3 and a lower cable 4 extend, a flexible panel 5 being carried between the cables. Thus, in this case, the upper edge of the panel is defined by cable 3. An inspection of Figs. 1 and 2 of Donnet make it clear that the upper edge 3 is located at about the upper end of post 1. Here again, therefore, there is no suggestion of a tape extending from a post wherein both the upper and lower edges of the tape are spaced at least several inches from the upper end of the post.

Claims 1, 2, and 4 were rejected on the basis of Reading. Reading shows a post 2 from which a tape 4 extends. Referring to the illustration of Fig. 1 of Reading set forth in the office action on page 7, it will be seen that the upper edge of tape 4 is located substantially at the upper end B of post 2. Thus, Reading does not show or suggest an arrangement in which the tape, as a whole, is located below the top of the post, and more specifically an arrangement wherein the upper edge of the tape is located at least several inches below the upper end of the post.

In view of the comments set forth above, it is believed that amended claim 1 patentably distinguishes from the references relied upon by the Examiner. Claim 1 calls for a post containing a tape cassette, the tape being extendable from the cassette through a slot in the post, "both the upper and lower edges of the tape, when extended, being spaced from the upper end of the post at least several inches". As pointed out above, not one of the references employed by the Examiner even remotely suggests an arrangement wherein both the upper and lower edges of the tape are spaced at least several inches from the upper end of the post.

Claims 2-6 are all dependent upon claim 1, and therefore distinguish from the references for the reasons set forth above.

Claims 7 and 8 were rejected on the basis of Reading. These claims are method claims referring to the manner of assembling the tape cassette within the hollow post. Reading does not describe or suggest the method of the present invention.

The method relates to a post having a slot wherein both the upper and lower edges of the slot are spaced from the upper end of the post at least several inches. The slot defines the point along the height of the post from which the tape will extend. Reading discloses no such slot.

Furthermore, according to the invention, and as described on page 13 of the specification, the tape cassette is inserted into the post without the pull 33 (Fig. 10) being attached to the end of the tape 37. The reason is that if the pull 33 were attached, the cassette could not fit into the interior of the post. It is only after the free end 37a (Fig. 9) of the tape is pulled through the slot 47 in the post that pull 33 is attached to the tape.

Reading nowhere describes any method similar to the one just described. Reading appears to be a conventional arrangement wherein the pull 6 is attached to the end of tape 4 prior to assembly of the tape cassette with the post.

Claim 7 patentably distinguishes from Reading by calling for the steps of "pulling the free end of the tape through the slot, and thereafter attaching a finger pull to the free end of the tape exposed outside the post". Reading nowhere describes or suggests these steps.

Claim 8 is dependent upon claim 7 and therefore distinguishes from Reading for the reasons set forth above.

The references cited, but not applied, by the Examiner have been considered, but obviously come no closer to suggesting the present invention than the references discussed above.

This application is believed to be in condition for allowance,  
and such action is solicited.

Respectfully,

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